

MINUTES

MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

Call to Order: By **CHAIRMAN BILL GLASER**, on March 21, 2001 at 3:27 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Bill Glaser, Chairman (R)
Sen. Jack Wells, Vice Chairman (R)
Sen. John C. Bohlinger (R)
Sen. Edward Butcher (R)
Sen. Jon Ellingson (D)
Sen. Alvin Ellis Jr. (R)
Sen. Sam Kitzenberg (R)
Sen. Don Ryan (D)
Sen. Debbie Shea (D)
Sen. Mike Sprague (R)
Sen. Mignon Waterman (D)

Members Excused: Sen. Dale Berry (R)
Sen. John Cobb (R)
Sen. Jim Elliott (D)

Members Absent: None.

Staff Present: Linda Ashworth, Committee Secretary
Eddy McClure, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted:
Executive Action: HB 42; SB 499; HB 488

EXECUTIVE ACTION ON HB 42

DISCUSSION:

SEN. JACK WELLS argued that HB 42 would involve financial payments from the general fund that would increase each year.

Motion: SEN. WELLS moved that **HB 42 BE TABLED.**

SEN. JOHN BOHLINGER requested an opportunity to speak to the bill.

SEN. WELLS WITHDREW THE MOTION TO TABLE HB 42.

SEN. BOHLINGER purported that HB 42 would offer incentives for teachers to better themselves. He explained the rigorous standards teachers would have to comply with to obtain National Board Certification.

SEN. DON RYAN questioned the federal matching funds listed on the fiscal note. He surmised the federal funds would have to be matched by state funds. **Erik Burke, Montana Education Association/Montana Federation of Teachers** explained that the federal money in the fiscal note originated in the House Appropriations Committee. He maintained the money may become available under President Bush's funding suggestions.

SEN. DEBBIE SHEA stated her desire to vote to send HB 42 to the floor of the Senate but would vote against it on the floor. She argued that many Montana teachers deserve to be rewarded with extra pay. **SEN. SHEA** recounted that teachers are required to obtain additional training and are not compensated. **SEN. ALVIN ELLIS** argued that teachers were paid for their education through advancements on the salary schedule.

SEN. SHEA rebutted that the Butte salary schedule topped at a Masters Degree plus 15 credits. Even though she had reached that level, she continued to take educational courses to maintain her certification.

SEN. MIGNON WATERMAN debated that Board Certified Teachers were better teachers. She reminded the committee that physicians and accountants were paid more if they obtained national certification. She felt teachers deserved the same compensation. **SEN. WATERMAN** contended adopting HB 42 would allow Montana to remain competitive with surrounding states, when recruiting teachers.

SEN. RYAN suggested that school boards could be asked to invest in teacher training by directing teachers toward National Board Certification.

SEN. ED BUTCHER postulated that National Board Certification would be a competition between teachers to see who could come up with the best presentation. He rationalized that students should be tested and teachers be rewarded based on the outcome of the tests.

Motion/Vote: **SEN. WATERMAN** moved that **HB 42 BE CONCURRED IN.**
Motion carried 9-3 with Butcher, Ellis, and Wells voting no.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 16}

EXECUTIVE ACTION ON SB 499

Motion: **SEN. WATERMAN** moved that **SB 499 BE AMENDED**
(SB049901.aem), EXHIBIT(eds64a01).

Discussion:

SEN. WATERMAN explained the amendment would allow the fiscal cost of the bill to be covered by a 10% increase in the gaming tax. The tax would be subjected to a vote of the people.

SEN. ELLIS stated his opposition to the amendment since it would single out one industry.

SEN. MIKE SPRAGUE queried whether the sponsor of the bill was aware of the amendment. **SEN. WATERMAN** responded that she had not informed the sponsor.

SEN. JON ELLINGSON asked for clarification whether the amendment would require a vote of the people. **SEN. WATERMAN** clarified that it had been her intention to require a vote.

SEN. ELLINGSON wondered if the \$1000 scholarship would be a one time scholarship. **SEN. WATERMAN** stated her belief the scholarship would be available for eight semesters.

SEN. RYAN requested that the sponsor estimate the amount of revenue the tax increase would generate. **SEN. WATERMAN** guessed the revenue would generate 4.5 to 5 million dollars.

SEN. ELLINGSON indicated confusion over the amount of money needed to fund the bill. **Dustin Stewart** informed the committee that a \$1000 scholarship would be granted each year for a period of 4 years or 8 semesters.

SEN. ED BUTCHER requested input from the sponsor of the bill regarding the change in the funding format.

SEN. SHEA wondered if the machine owner tax credit would decrease. **Eddye McClure** surmised that the gambling machine tax would rise.

CHAIRMAN BILL GLASER informed the committee that **SEN. KEN MILLER** would address the committee regarding **SEN. WATERMAN'S** proposed amendment to SB 499. He affirmed his belief that the sponsor of the bill should be allowed to address the previously unseen amendment.

SEN. WATERMAN reiterated her assumption that the amendment was a good idea and apologized to the sponsor for not informing him of the amendment.

SEN. MILLER professed his opposition to funding K-12 education with cigarette tax or gaming money. He suggested the voted levy could be lowered to 4 mills, which would be enough to cover the fiscal responsibilities of the bill.

SEN. WATERMAN WITHDREW HER MOTION TO AMEND SB 499 (SB0499.01.aem) .

Motion: **SEN. RYAN** moved that **SB 499 BE AMENDED (SB049905.aem) , EXHIBIT (eds64a02) .**

Discussion:

SEN. RYAN explained the amendment would extend the boundaries of the levied tax to include the county, instead of the city.

{Tape : 1; Side : A; Approx. Time Counter : 16 - 32}

CHAIRMAN GLASER asked **SEN. RYAN** if he had obtained an opinion of the bill's sponsor on the proposed amendment. **SEN. RYAN** related the sponsor had not seen the amendment.

CHAIRMAN GLASER requested that the sponsor speak to the amendment.

SEN. MILLER indicated he was not opposed to the amendment, but preferred the bill remain as originally written. He affirmed that the language in the bill would allow the county to offer help with funding.

SEN. BUTCHER wondered if the bill would authorize local governments to levy a tax to support the local school districts.

SEN. MILLER reiterated that the bill would allow communities that host college campuses to have the flexibility to match the funding from the state level.

SEN. BOHLINGER avowed support for the amendment, because the burden of raising additional funding would be spread across the county.

SEN. ELLINGSON queried why the sponsor chose to impose the responsibility of raising funds on the community instead of the county. **SEN. MILLER** responded that a college would have an impact on the community, more so than on the surrounding county.

SEN. ELLINGSON surmised that the colleges would receive nothing if the communities did not raise the necessary funds. **SEN. MILLER** agreed, stating the community would see the fruits of their labors.

SEN. WELLS professed his desire to see the bill move forward without the amendment.

Vote: **SEN. RYAN'S** motion that **SB 499 BE AMENDED (SB049905.aem)** passed 9-4 with **Berry, Glaser, Sprague** and **Wells** voting no.

Motion: **SEN. ELLIS** moved that **SB 499 DO PASS AS AMENDED.**

Discussion:

SEN. WELLS questioned whether **SEN. MILLER** would amend the bill on the floor to reduce the mills from six to four. **SEN. MILLER** stated his desire that the bill be amended in committee.

Substitute Motion/Vote: **SEN. WELLS** made a substitute motion that **SB 499 BE AMENDED "TO REDUCE THE MILLS FROM FOUR TO SIX".** Substitute motion carried unanimously.

Vote: **SEN. ELLIS'** motion that **SB 499 DO PASS AS AMENDED** passed 11-2 with **Sprague** and **Wells** voting no.

{Tape : 1; Side : B; Approx. Time Counter : 0 - 10}

EXECUTIVE ACTION ON HB 488

Motion/Vote: SEN. SHEA moved that HB 488 BE CONCURRED IN. Motion carried unanimously.

{Tape : 1; Side : B; Approx. Time Counter : 10 - 11}

SEN. RYAN indicated support for SB 500, reasoning that the Senate should have an education funding vehicle. He apprized CHAIRMAN GLASER of his intentions to try to move the bill to the Senate floor.

ADJOURNMENT

Adjournment: 4:20 P.M.

SEN. BILL GLASER, Chairman

LINDA ASHWORTH, Secretary

BG/LA

EXHIBIT (eds64aad)